

MINUTES

MONTANA SENATE 60th LEGISLATURE - REGULAR SESSION

COMMITTEE ON PUBLIC HEALTH, WELFARE AND SAFETY

Call to Order: By **CHAIRMAN DAN WEINBERG**, on February 21, 2007 at 8:00 A.M., in Room 317-A Capitol.

ROLL CALL

Members Present:

Sen. Dan Weinberg, Chairman (D)
Sen. Lynda Moss, Vice Chairman (D)
Sen. John Cobb (R)
Sen. John Esp (R)
Sen. Kim Gillan (D)
Sen. Terry Murphy (R)
Sen. Jerry O'Neil (R)
Sen. Trudi Schmidt (D)
Sen. Carol Williams (D)

Members Excused: None.

Members Absent: None.

Staff Present: Prudence Gildroy, Committee Secretary
Lisa Mecklenberg Jackson, Legislative Branch

Audio Committees: These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. The link to the audio recording of the meeting is available on the Legislative Branch website.

Committee Business Summary:

Hearing & Date Posted: None.
Executive Action: SB 149; SB 312; SB 417; SJ 15

00:00:02

EXECUTIVE ACTION ON SB 149

00:49:00 **Motion:** SEN. SCHMIDT moved SB 149 DO PASS.

00:01:00 **Motion:** SEN. WEINBERG moved that SB014902.ALJ BE ADOPTED.

EXHIBIT (phs39a01)

Discussion:

00:01:54 Sen. Weinberg to Deb Matteucci, Department of Health and Human Services (DPHHS)

00:08:40 Sen. Gillan to Deb Matteucci

00:09:08 Sen. Weinberg to Deb Matteucci

00:17:48 Sen. Weinberg to Deb Matteucci

00:19:19 Sen. Weinberg to Lisa Jackson, Legislative Services

00:20:06 **Motion:** Sen. Gillan moved to segregate Weinberg amendment #10 and move Amendment #11 OF SB014901.Asb.

EXHIBIT (phs39a02)

00:21:26 Sen. Weinberg withdrew his motion.

00:21:28 **Vote:** Substitute motion for SB014902.alj except for #10 carried 8-0.

00:22:19 Sen. Weinberg to Sen. Gillan

00:22:35 **Motion:** SEN. GILLAN moved that AMENDMENT #11 OF SB014901.ALJ BE ADOPTED.

Discussion:

00:22:37 Sen. Gillan

00:24:41 Sen. Weinberg to John Chappuis, DPHHS

00:25:53 Sen. Schmidt to Anita Rossman, Montana Advocacy Program

00:27:17 Sen. Weinberg

00:28:23 Sen. Esp

00:28:57 Sen. Weinberg to Sen. Esp

00:29:33 Sen. Gillan

00:29:46 **Vote:** Motion carried 8-1 by voice vote with SEN.
WEINBERG voting no.

00:30:00 **Motion/Vote:** SEN. ESP moved TO SUBSTITUTE WEINBERG'S
SUBSECTION (3) IN AMENDMENT #10 FOR SUBSECTION (3) IN
SEN. GILLAN'S AMENDMENT #11. Motion carried
unanimously.

00:30:46 **Motion:** SEN. ESP moved that SB 149 DO PASS AS AMENDED.

Discussion:

00:31:05 **Motion:** SEN. GILLAN moved AMENDMENT #12 ON
SB014902.ASB.

00:31:43 Sen. Gillan withdrew her motion

00:31:51 **Motion:** SEN. WEINBERG moved SUBSECTION 4 ON WEINBERG
AMENDMENT IN PLACE OF SUBSECTION (4) IN #11 ON THE
GILLAN AMENDMENT.

Discussion:

00:31:59 Sen. Weinberg

00:33:28 Sen. Williams to Sen. Weinberg

00:34:41 Sen. Gillan
(Sen. O'Neil entered the room)

00:35:43 **Vote:** Motion carried 9-0

00:35:55 **Motion:** SEN. GILLAN moved AMENDMENT #12 ON
SB014902.ASB.

Discussion:

00:35:59 Sen. Gillan

00:37:46 Sen. Cobb to Anita Rossman

00:39:53 Sen. Weinberg to Deb Matteucci

00:41:33 Sen. O'Neil to Deb Matteucci

00:43:07 Sen. O'Neil to Anita Rossman

00:47:46 Sen. Williams

00:48:57 Sen. O'Neil to John Chappuis

00:50:34 Deb Matteucci

00:52:04 Sen. Cobb

00:52:31 **Substitute Motion/Vote:** SEN. WEINBERG made a substitute motion TO EXCLUDE SECTION (4). Motion carried.

Discussion:

00:53:09 **Motion:** SEN. GILLAN moved New Section (4) ON AMENDMENT #12.

Discussion:

00:53:11 Sen. Gillan

00:54:50 Sen. Esp

00:55:48 Sen. Weinberg

00:57:41 Sen. O'Neil

00:58:19 Sen. Schmidt

00:59:56 **Vote:** Motion failed 4-5 by roll call vote with SEN. COBB, SEN. GILLAN, SEN. MOSS, and SEN. WILLIAMS voting aye.

01:01:10 **Motion:** SEN. ESP moved that SB 149 DO PASS AS AMENDED.

Discussion:

01:01:27 Sen. Cobb

01:01:31 **Vote:** Motion carried 6-3 by voice vote with SEN. ESP, SEN. GILLAN, and SEN. O'NEIL voting no.

EXECUTIVE ACTION ON SB 312

01:02:39 **Motion:** SEN. ESP moved that SB 312 DO PASS.

Discussion:

01:03:24 Sen. Weinberg

01:05:22 Sen. O'Neil

01:06:30 Sen. Moss

01:07:52 **Motion:** SEN. ESP moved that AMENDMENT SB031202.ALJ BE ADOPTED.

EXHIBIT (phs39a03)

Discussion:

01:08:52 Sen. Williams to Sen. Weinberg

01:09:46 Sen. Weinberg to Lisa Jackson

01:10:27 Mark Taylor, Montana Hospital Association

01:11:01 Mona Jamison, Central Montana Hospital, Great Falls Clinic

01:12:49 **Substitute Motion:** SEN. O'NEIL made a substitute motion TO SEGREGATE AMENDMENT #10.

01:13:22 **Vote:** Motion that AMENDMENT SB031202.ALJ SEGREGATING AMENDMENT #10 BE ADOPTED carried unanimously.

01:13:45 **Motion:** SEN. GILLAN moved that AMENDMENT #10 BE ADOPTED.

Discussion:

01:14:00 Sen. Gillan

01:14:10 Sen. Weinberg

01:15:05 Sen. Williams

01:16:43 **Vote:** Motion carried 7-2 by voice vote with SEN. MURPHY and SEN. O'NEIL voting no.

01:17:05 Sen. Cobb

01:17:28 Sen. Moss

01:17:35 Motion/Vote: SEN. COBB moved A CONCEPTUAL AMENDMENT TO CHANGE THE EFFECTIVE DATE TO ON PASSAGE AND APPROVAL. Motion carried unanimously.

01:18:08 Motion: SEN. COBB moved that SB 312 DO PASS AS AMENDED.

Discussion:

01:18:38 Sen. Murphy

01:18:48 Vote: Motion carried unanimously by voice vote.

EXECUTIVE ACTION ON SB 417

01:19:08 Motion: SEN. GILLAN moved that SB 417 DO PASS.

01:19:34 Motion: SEN. ESP moved that AMENDMENT SB041701.ALJ BE ADOPTED.

EXHIBIT (phs39a04)

Discussion:

01:19:48 Sen. Esp

01:21:11 Vote: Motion carried unanimously by voice vote.

01:21:31 Motion: SEN. GILLAN moved that AMENDMENT SB41701.ALJ BE ADOPTED.

EXHIBIT (phs39a05)

Discussion:

01:21:51 Sen. Gillan

01:22:00 Bob Olsen, Montana Hospital Association

01:22:53 Sen. O'Neil

01:23:35 Sen. Weinberg to Jerome Anderson, Montana Orthopaedic Society, Yellowstone Physicians Alliance

01:24:40 Sen. Esp

01:25:11 Sen. O'Neil

01:25:34 Sen. Cobb

01:25:52 Sen. Schmidt to Mona Jamison, Central Montana Hospital,
Great Falls Clinic

01:27:00 Bob Olsen

01:29:09 Sen. Gillan to Bob Olsen

01:29:53 **Vote: Motion carried unanimously by voice vote.**

01:30:06 **Motion: SEN. GILLAN moved that SB 417 DO PASS AS
AMENDED.**

Discussion:

01:30:08 Sen. Gillan

01:31:14 Sen. O'Neil

01:31:34 **Vote: Motion carried unanimously by voice vote.**

EXECUTIVE ACTION ON SJ 15

01:31:47 **Motion: SEN. GILLAN moved that SJ 15 DO PASS.**

01:32:16 **Motion: SEN. SCHMIDT moved that AMENDMENT SB01501.ALJ
BE ADOPTED.**

EXHIBIT (phs39a06)

Discussion:

01:32:27 Sen. Schmidt

01:34:05 Sen. Weinberg

01:34:12 **Vote: Motion carried unanimously by voice vote with
SEN. WILLIAMS voting aye by proxy.**

01:34:26 **Motion/Vote: SEN. SCHMIDT moved that SB 417 DO PASS AS
AMENDED. Motion carried unanimously by voice vote with
SEN. WILLIAMS voting aye by proxy.**

01:35:04 Sen. Weinberg

01:35:11 Sen. Schmidt

01:37:27 Sen. Weinberg to Sen. Schmidt

ADJOURNMENT

Adjournment: 9:41 P.M.

SEN. DAN WEINBERG, Chairman

PRUDENCE GILDROY, Secretary

DW/pg

Additional Exhibits:

EXHIBIT ([phs39aad.pdf](#))